



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northwest Region
7600 Sand Point Way N.E., Bldg. 1
Seattle, WA 98115

November 30, 2004

Mr. Stephen J. Wright
Administrator
Bonneville Power Administration
P.O. Box 3621
Portland, OR 97208-3621

Brigadier General William T. Grisoli
Commander and Division Engineer
U.S. Army Corps of Engineers
Northwestern Division
P.O. Box 2870
Portland, OR 97208-2870

Mr. William McDonald
Regional Director
U.S. Bureau of Reclamation
Pacific Northwest Region
1150 N. Curtis Rd., Suite 100
Boise, Idaho 83706-1234

Re: Revised 2004 Biological Opinion on the Operation of the Federal Columbia River
Power System and 19 U.S. Bureau of Reclamation projects

Dear Mr. Wright, Brigadier General Grisoli, and Mr. McDonald,

Enclosed is the revised 2004 Biological Opinion prepared by NOAA's National Marine Fisheries Service (NOAA Fisheries) pursuant to section 7(a)(2) of the Endangered Species Act and in response to the District Court's Order dated June 2, 2003, in the case *National Wildlife Federation v. NMFS*, CR 01-640-RE. NOAA Fisheries concludes in this biological opinion that the Action Agencies' Updated Proposed Action (UPA), finalized November 24, 2004, is not likely to jeopardize twelve listed species or one proposed-to-be-listed species of Columbia basin salmonids. NOAA Fisheries also concludes that the UPA is not likely to destroy or adversely modify designated critical habitat for Snake River (SR) spring/summer chinook (*Oncorhynchus tshawytscha*), SR fall chinook (*O. tshawytscha*), or SR sockeye salmon (*O. nerka*). As required by section 7(b)(4), NOAA Fisheries also includes its Incidental Take Statement with reasonable and prudent measures and non-discretionary terms and conditions that NOAA Fisheries determines are appropriate to minimize the impact of incidental take associated with this action.



This document also includes the results of our consultation on the action's likely effects on essential fish habitat (EFH) pursuant to section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and its implementing regulations (50 CFR Part 600). NOAA Fisheries concludes that the proposed action may adversely affect designated EFH for Columbia basin chinook and coho salmon, English sole (*Pleuronectes vetulus*), starry flounder (*Platichthys stellatus*), the northern anchovy (*Engraulis mordax*), and the Pacific sardine (*Sardinops sagax*). As required by section 305(b)(4)(A) of the MSA, this biological opinion includes conservation recommendations that NOAA Fisheries determines will avoid, minimize, mitigate, or otherwise offset adverse effects on EFH resulting from the proposed action. As described in Chapter 11, 305(b)(5)(B) of the MSA requires that a Federal action agency must provide a detailed response in writing within 30 days of receiving NOAA Fisheries' EFH conservation recommendation.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Robert Lohn", with a stylized, flowing script.

D. Robert Lohn
Regional Administrator